



January 24, 2019

Secretary of State Michael Pompeo  
U.S. Department of State  
2201 C Street, N.W.  
Washington, D.C. 20520

Dear Secretary Pompeo:

According to recent reports, President Trump has, on at least one occasion, seized notes taken by an interpreter during his meetings with Russian President Vladimir Putin.<sup>1</sup> President Trump has reportedly been accompanied by State Department interpreters in his meetings with President Putin,<sup>2</sup> and the president's reported removal of a State Department interpreter's notes may violate the Federal Records Act's prohibition on unlawful removal or destruction of federal records. 44 U.S.C. § 3106.<sup>3</sup>

It is particularly important that the State Department recover and preserve the notes of the interpreters who have attended the president's meetings with President Putin in light of reports that no detailed record has been maintained on President Trump's face-to-face interactions with Mr. Putin.<sup>4</sup> The president's seizure of these State Department records has reportedly prevented senior

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<sup>1</sup> Greg Miller, *Trump Has Concealed Details of His Face-to-Face Encounters with Putin from Senior Officials in Administration*, WASH. POST, Jan. 13, 2018, [https://www.washingtonpost.com/world/national-security/trump-has-concealed-details-of-his-face-to-face-encounters-with-putin-from-senior-officials-in-administration/2019/01/12/65f6686c-1434-11e9-b6ad-9cfd62dbb0a8\\_story.html?utm\\_term=.d4e3cc11bb8a](https://www.washingtonpost.com/world/national-security/trump-has-concealed-details-of-his-face-to-face-encounters-with-putin-from-senior-officials-in-administration/2019/01/12/65f6686c-1434-11e9-b6ad-9cfd62dbb0a8_story.html?utm_term=.d4e3cc11bb8a); Rebecca Morin, *Trump: 'I Never Worked for Russia'*, POLITICO (Jan. 14, 2019, 11:19 AM), <https://www.politico.com/story/2019/01/14/trump-russia-fbi-1098888> ("Trump had seized notes from an interpreter after his meeting with Putin in Hamburg, Germany, in 2017, which then-Secretary of State Rex Tillerson also had attended.").

<sup>2</sup> Emily Cochrane, *Who Heard What Trump Said to Putin? Only One Other American*, N.Y. TIMES, July, 19, 2018, <https://www.nytimes.com/2018/07/19/us/politics/trump-putin-interpreter.html>.

<sup>3</sup> See also 44 U.S.C. § 3101 (requiring preservation of records documenting the "organization, functions, policies, decisions, procedures, and essential transactions of the agency and designed to furnish the information necessary to protect the legal and financial rights of the Government and of persons directly affected by the agency's activities"); 44 U.S.C. § 3301 (defining records as "all information, regardless of form or characteristics, made or received by a Federal agency under Federal law or in connection with the transaction of public business and preservation by that agency . . . as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the United States Government or because of the informational value of data in them") (emphases added).

<sup>4</sup> See Miller, *supra* note 1.



officials from receiving important information about the president's meetings,<sup>5</sup> may hamper Congress's ability to conduct oversight of the Executive branch,<sup>6</sup> and threatens to undermine the historical record available to the public.

The Federal Records Act requires you to notify the Archivist of "any actual, impending, or threatened" unlawful removal, alteration, or destruction of federal records, and to initiate action to recover those records you have reason to believe were unlawfully removed. 44 U.S.C. § 3106 (a). American Oversight urges you to take action to recover all notes of State Department interpreters from meetings between President Trump and President Putin that have been unlawfully removed, including any notes seized by the president.

Sincerely,

A handwritten signature in blue ink, appearing to read "MS", likely representing Melanie Sloan.

Melanie Sloan  
Senior Advisor  
American Oversight

Cc: The Honorable David S. Ferriero  
Archivist of the United States  
National Archives and Records Administration  
700 Pennsylvania Avenue, N.W.  
Washington, D.C. 20408

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<sup>5</sup> *Id.*

<sup>6</sup> *See* 36 C.F.R. §1222.22 (c).